



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,473	07/13/2001	Toshifumi Yamaai	RCOH-1034	8104

7590 10/06/2004
KNOBLE & YOSHIDA, LLC
Eight Penn Center, Suite 1350
1628 John F. Kennedy Blvd.
Philadelphia, PA 19103

EXAMINER

DESIRE, GREGORY M

ART UNIT	PAPER NUMBER
----------	--------------

2625

DATE MAILED: 10/06/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/904,473

Applicant(s)

YAMAAI, TOSHIFUMI

Examiner

Gregory M. Desire

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 14-18 is/are rejected.
- 7) ☐ Claim(s) 5-13 and 19-27 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2625

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 and 14-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamashita et al (5,555,362).

Regarding method, computer medium and apparatus claims 1, 14 and 15 Yamashita discloses,

Inputting a document image data (note col. 3 lines 4-5 document image is input);

Extracting a black pixel rectangle that circumscribes continuous black pixels (note col. 3 lines 39-43), the black pixel rectangle defining a parent rectangle (col. 3 lines cite extracting rectangle data, examiner interprets a rectangle data as parent rectangle);

Determining whether or not the parent rectangle is frame candidate based upon a predetermined set of first criteria (note col.3 lines 43-60, examiner interprets area segmentation wherein structure data being stored as a determining rectangle is a frame candidate, which is based on processing executed, the area structure is the criteria to determine the rectangle is frame candidate);

Art Unit: 2625

Extracting a white pixel rectangle that circumscribes continuous white pixels within the parent rectangle of the frame candidate (note col. 4 lines 42-45, white pixel rectangles are extracted).

Further determining whether or not the frame candidate is a frame based upon a second criteria, the second criteria including at least a comparison of a certain aspect between the white pixel rectangle and black pixel rectangles (note col. 4 lines 50-54, threshold value is determined by white pixel rectangle size, which is compared with black lines, examiner interprets as determining frame based on second criteria.).

Regarding method and apparatus claims 2 and 16 Yamashita discloses,

Wherein the predetermined set of the first criteria includes a comparison of one side of the black pixel rectangle to a first predetermined threshold (note col. 4 lines 15-25, examiner interprets vertical and horizontal lines as sides of black pixel rectangle which can be used to determined frame candidate thus can be included in with first criteria).

Regarding method and apparatus claims 3 and 17, Yamashita discloses,

Wherein the predetermined set of first criteria includes a comparison ratio of sides of the black pixel rectangle to a second predetermined threshold value (note col. 4 lines 52-56, separators processed by segmentation (performs the first criteria) includes examining horizontal or vertical sides by determined threshold to width and length of white pixel rectangle size (second criteria).

Art Unit: 2625

Regarding method and apparatus claims 4 and 18, Yamashita discloses,

Wherein the predetermined set of the first criteria includes a comparison of a black pixel density of the black pixel rectangle to a third predetermined threshold value (note col. 4 lines 60-67, examiner interprets separators from the first criteria, separated based on a characteristic value for example density, as meeting the claim limitations of criteria includes pixel density to a third threshold value, this feature is to determine frame candidate, which includes horizontal and vertical separators).

Allowable Subject Matter

3. Claims 5-13 and 19-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
4. The following is a statement of reasons for the indication of allowable subject matter: Dependent claims further limit the second criteria, which is a critical element to determine whether a frame candidate is a frame

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory M. Desire whose telephone number is (703)

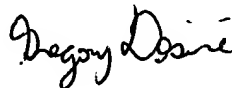
Art Unit: 2625

308-9586. The examiner can normally be reached on M-F (8:30-6:00) Second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory M. Desire
Examiner
Art Unit 2625



G.D.
September 29, 2004